

ALSTON & BIRD

Notice to the Clerk's Office: The attached redacted Exhibit AA will replace the sealed Exhibit AA at Docket 24.

Dated: December 10, 2021

John P. Doherty

90 Park Avenue
New York, NY 10016
212-210-9400 | Fax: 212-210-9444

Direct Dial: 212-210-1282

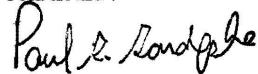
June 30, 2021

Memo Endorsed:

The Court respectfully directs the Clerk of Court to strike Exhibit AA at Docket Number 24 but retain the summary docket text for the record.

Dated: December 14, 2021

SO ORDERED.



Paul G. Gardephe
United States District Judge

VIA ECF

The Honorable Paul G. Gardephe
United States District Court
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: *U.S. Bank N. A. v. 767 8th Avenue LLC, et al.*, No. 1:21-cv-04913 (PGG)

Dear Judge Gardephe,

We represent Plaintiff U.S. Bank National Association (“U.S. Bank”), solely in its capacity as Trustee, in the above-captioned matter.

Pursuant to the Court’s June 17, 2021 order, U.S. Bank filed its reply memorandum and supporting declarations in further support of its application for a receiver on Thursday, June 24, 2021. On Tuesday, June 29, 2021, counsel for 767 8th Ave LLC, Sherman Management LLC, and Joginder Y. Sharma (collectively, “Defendants”) notified U.S. Bank that Exhibit AA to the June 24, 2021 Declaration of Nicholas Powell (the “June 24 Powell Decl.”) contained two inadvertently unredacted Social Security numbers. U.S. Bank immediately contacted the Southern District’s Help Desk and requested that Exhibit AA be temporarily sealed.

Per the instructions of the Clerk’s office, U.S. Bank now requests that the Court permanently seal or strike the existing Exhibit AA to the June 24 Powell Decl. A corrected copy of Exhibit AA, with the Social Security numbers on page 32 redacted consistent with Federal Rule of Civil Procedure 5.2(a)(1), is attached to this letter. U.S. Bank conferred with counsel for Defendants who consent to this letter motion.

Respectfully submitted,

/s/ John P. Doherty
John P. Doherty, Esq

CC: Counsel of Record